

**COMPLAINT OF POSSIBLE PROHIBITED POLITICAL ACTIVITY
(VIOLATION OF THE HATCH ACT)**

INFORMATION ABOUT FILING A COMPLAINT WITH OSC

This complaint form can be used to file complaints alleging violations of the Hatch Act by federal, District of Columbia, state and local and nonprofit organization employees. While it is not required that this complaint form be used, use of this form will be helpful to OSC in expediting the processing and investigating of complaints. Please complete the information requested below as fully and accurately as possible.

SEND COMPLETED COMPLAINT FORMS TO:

By Mail: Hatch Act Unit
Office of Special Counsel
1730 M Street, N.W. (Suite 218)
Washington, DC 20036-4505

By Fax: (202) 254-3700

Electronically: WWW.OSC.GOV (AT "FILE COMPLAINTS ONLINE")

PLEASE KEEP A COPY OF YOUR COMPLAINT, ANY SUPPORTING DOCUMENTATION, AND ANY ADDITIONAL ALLEGATIONS SENT IN WRITING TO OSC NOW, OR AT ANY TIME WHILE YOUR COMPLAINT IS PENDING.
REPRODUCTION CHARGES UNDER THE FREEDOM OF INFORMATION ACT MAY APPLY TO ANY REQUEST YOU MAKE FOR COPIES OF MATERIALS THAT YOU PROVIDED TO OSC.

INFORMATION ABOUT THE HATCH ACT

The Hatch Act prohibits federal, District of Columbia, some state and local and nonprofit organization employees from engaging in certain types of political activities. See 5 U.S.C. §§ 7321- 7326 and 5 U.S.C. §§ 1501-1508.

Federal Employees are generally prohibited from:

1. Using their official authority or influence for the purpose of interfering with or affecting the result of an election.
2. Soliciting, accepting, or receiving political contributions (with some exceptions).
3. Running for nomination or as candidates for partisan political office.
4. Soliciting or discouraging the participation in political activity of any person who has business before their employing agency.
5. Engaging in political activity while on duty, in any room or building occupied in the discharge of official duties, while wearing a uniform or official insignia, or while using a vehicle owned or leased by the United States government.

State and Local Employees are prohibited from*:

1. Using their official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office.
2. Coercing, attempting to coerce, commanding, or advising a State or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes.
3. Being a candidate for partisan political office.

* Employees of some private, nonprofit organizations are subject to the same restrictions on political activity that apply to covered state and local employees.

**VISIT WWW.OSC.GOV
FOR MORE INFORMATION ABOUT THE HATCH ACT**

COMPLAINT OF POSSIBLE PROHIBITED POLITICAL ACTIVITY (HATCH ACT VIOLATION)

Page 2 of 7

U.S. OFFICE OF SPECIAL COUNSEL

(202) 254-3650 / (800) 854-2824

**COMPLAINT OF POSSIBLE PROHIBITED POLITICAL ACTIVITY
(VIOLATION OF THE HATCH ACT)**

(Please print legibly or type and complete all pertinent items. Enter "N/A" (Not Applicable) or "Unknown" where appropriate.
(If more space is needed, use Continuation Sheet at page 4.)

PART 1: COMPLAINANT'S INFORMATION

1. Name of person filing complaint: Mr. () Ms. () Mrs. () Miss ()

2. Agency name (if referring complaint): _____
3. Agency address (if referring complaint): _____
4. Home or mailing address (if filing complaint): _____

5. Contact information: Telephone number(s): () _____ (Home)
() _____ (Office) Ext. _____
Fax number: () _____
E-mail address: _____
6. How did you first become aware that you could file a complaint with OSC?
() OSC Web site () OSC speaker () OSC brochure () OSC poster
() news story () agency personnel office () union () co-worker
() other (please describe): _____
Date (approximate): _____

PART 2: SUBJECT'S INFORMATION

7. Name of person who violated the Hatch Act ("Subject"): _____
8. Agency: _____
9. Position/Title: _____
10. Federal, District of Columbia (DC), State/Local or Nonprofit employee (check one):
() Federal employee
() DC employee
() State or Local employee
() Nonprofit organization employee
11. Contact information: Telephone number(s): () _____ (Home)
() _____ (Office) Ext. _____
Fax number: () _____
E-mail address: _____

COMPLAINT OF POSSIBLE PROHIBITED POLITICAL ACTIVITY (HATCH ACT VIOLATION)

Page 3 of 7

12. Subject's Supervisor's Name: _____

13. Subject's Supervisor's Contact information:

Telephone number(s): () _____ (Home)

() _____ (Office) Ext. _____

Fax number:

() _____

E-mail address: _____

14. Does Subject have knowledge of the Hatch Act? (check one): () Yes
() No
() Not sure

15. If you answered Yes to question 14, please explain how Subject knows about the Hatch Act (e.g. agency training, agency's distribution of brochures, flyers, e-mails, etc.) _____

PLEASE COMPLETE THE FOLLOWING ONLY IF THE SUBJECT IS A STATE OR LOCAL OR NONPROFIT ORGANIZATION EMPLOYEE. IF NOT, SKIP TO PART 3:

16. Does Subject's employing agency receive federal funds? (check one): () Yes
() No
() Not sure

17. If you answered Yes to question 16, please provide the following:

a) Nature and source of federal funds _____

b) Name of individual (s) at agency responsible for federal funds: _____

c) Contact information for individual (s) responsible for federal funds:

Telephone Number(s): () _____

Fax Number:

() _____

E-mail address: _____

18. Does the Subject perform duties in connection with federal funds? (check one) () Yes
() No
() Not sure

19. If you answered yes to question 18, please provide the type of duties Subject performs in connection with Federal funds:

PART 3: DETAILS OF COMPLAINT

-
- This image shows a single sheet of white paper with horizontal blue or grey ruling lines, typical of notebook paper. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

COMPLAINT OF POSSIBLE PROHIBITED POLITICAL ACTIVITY (HATCH ACT VIOLATION)

Page 5 of 7

PART 4: CONSENT TO CERTAIN DISCLOSURES OF INFORMATION

OSC asks everyone who files a complaint alleging a possible prohibited political activity (violation of the Hatch Act) to select one of three Consent Statements shown below. **IF YOU DO NOT SELECT ONE OF THE THREE CONSENT STATEMENTS BELOW, OSC WILL ASSUME THAT YOU HAVE SELECTED CONSENT STATEMENT 1.** Please: (a) select and sign (or check, if filing electronically) one of the Consent Statements below; and (b) keep a copy of the Consent Statement you select (as well as a copy of all documents that you send to OSC) for your own records.

If you initially select a Consent Statement that restricts OSC's use of information, you may later select a less restrictive Consent Statement. If your selection of Consent Statement 2 or 3 prevents OSC from being able to conduct an investigation, an OSC representative will contact you, explain the circumstances, and provide you with an opportunity to select a less restrictive Consent Statement.

You should be aware that the Privacy Act allows information in OSC case files to be used or disclosed for certain purposes, regardless of which Consent Statement you sign. See 5 U.S.C. § 552a(b). Information about certain circumstances under which OSC can use or disclose information under the Privacy Act appears on the next page.

(Please sign one)

Consent Statement 1

I *consent* to OSC's communication with the pertinent individuals involved in my complaint. I *agree* to allow OSC to disclose my identity as the complainant, and information from or about me, if OSC decides that such disclosure is needed to investigate the allegation(s) in my complaint. I understand that regardless of the Consent Statement I choose, OSC may disclose information from my complaint file when permitted by the Privacy Act (including circumstances summarized in Part 6, below).

Complainant's Signature for Consent Statement 1

Date Signed

Consent Statement 2

I *consent* to OSC's communication with the pertinent individuals involved in my complaint, but I *do not agree* to allow OSC to disclose my identity as the complainant. I agree to allow OSC to disclose only information from or about me, without disclosing my name or other identifying information, if OSC decides that such disclosure is needed to investigate the allegation(s) in my complaint. I understand that in some circumstances OSC could not maintain my anonymity while communicating with the pertinent individuals. In such cases, I understand that this request for confidentiality might prevent OSC from taking further action on my complaint. I also understand that regardless of the Consent Statement I choose, OSC may disclose information from my complaint file when permitted by the Privacy Act (including circumstances summarized in Part 6, below).

Complainant's Signature for Consent Statement 2

Date Signed

Consent Statement 3

I *do not consent* to OSC's communication with the pertinent individuals involved in my complaint. I understand that if OSC decides that it cannot investigate the allegation(s) in my complaint without communicating with these individuals, my lack of consent will probably prevent OSC from taking further action on the complaint. I understand that regardless of the Consent Statement I choose, OSC may disclose information from my complaint file when permitted by the Privacy Act (including circumstances summarized in Part 6, below).

Complainant's Signature for Consent Statement 3

Date Signed

PART 5: CERTIFICATION AND SIGNATURE

I certify that all of the statements made in this complaint (including any continuation pages) are true, complete, and correct to the best of my knowledge and belief. I understand that a false statement or concealment of a material fact is a criminal offense punishable by a fine of up to \$250,000, imprisonment for up to five years, or both. 18 U.S.C. § 1001.

Signature Date

Signed

PART 6: PRIVACY ACT / PAPERWORK REDUCTION ACT STATEMENTS

Routine Uses. Limited disclosure of information from OSC files is needed to fulfill OSC's investigative, prosecutorial, and related responsibilities. OSC has described 18 routine uses for information in its files in the *Federal Register* (F.R.), at 66 F.R. 36611 (July 12, 2001), and 66 F.R. 51095 (October 5, 2001). A copy of the routine uses is available from OSC upon request. A summary of the routine uses appears below.

OSC may disclose information from its files in the following circumstances:

1. to disclose that an allegation of prohibited personnel practices or other prohibited activity has been filed;
2. to disclose information to the Office of Personnel Management (OPM) as needed for inquiries involving civil service laws, rules or regulations, or to obtain an advisory opinion;
3. to disclose information about allegations or complaints of discrimination to entities concerned with enforcement of antidiscrimination laws;
4. to the MSPB or the President, when seeking disciplinary action;
5. to the involved agency, MSPB, OPM, or the President when OSC has reason to believe that a prohibited personnel practice has occurred, exists, or is to be taken;
6. to disclose information to Congress in OSC's annual report;
7. to disclose information to third parties as needed to conduct an investigation; obtain an agency investigation and report on information disclosed to OSC's whistleblower disclosure channel; or to give notice of the status or outcome of an investigation;
8. to disclose information as needed to obtain information about hiring or retention of an employee; issuance of a security clearance; conduct of a security or suitability investigation; award of a contract; or issuance of a license, grant, or other benefit;
9. to the Office of Management and Budget (OMB) for certain legislative coordination and clearance purposes;

COMPLAINT OF POSSIBLE PROHIBITED POLITICAL ACTIVITY (HATCH ACT VIOLATION)

Page 7 of 7

10. to provide information from an individual's record to a congressional office acting pursuant to the individual's request;
11. to furnish information to the National Archives and Records Administration for records management purposes;
12. to produce summary statistics and work force or other studies;
13. to provide information to the Department of Justice as needed for certain litigation purposes;
14. to provide information to courts or adjudicative bodies as needed for certain litigation purposes;
15. to disclose information to the MSPB as needed in special studies authorized by law;
16. for coordination with an agency's Office of Inspector General or comparable entity, to facilitate the coordination and conduct of investigations and review of allegations;
17. to news media or the public in certain circumstances (except when the Special Counsel determines that disclosure in a particular case would be an unwarranted invasion of personal privacy); and
18. to the Department of Labor and others as needed to implement the Uniformed Services Employment and Reemployment Rights Act of 1994, and the Veterans' Employment Opportunities Act of 1998.

If OSC officials believe that disclosure may be appropriate in a situation not covered by one of OSC's routine uses, or one of the 11 other exceptions to the Privacy Act's general prohibition on disclosure, OSC will seek written authorization from the complainant permitting the disclosure.

Purposes, Burdens, and Other Information. An agency may not conduct or sponsor a collection of information, and persons may not be required to respond to a collection of information, unless it: (a) has been approved by OMB; and (b) displays a currently valid OMB control number. The information in this form is collected pursuant to OSC's legal responsibility to investigate: (a) allegations of prohibited political activity (5 U.S.C. § 1216). The information will be reviewed by OSC to determine whether the facts establish its jurisdiction over the subject of the complaint, and whether further investigation and disciplinary action is warranted. The reporting burden for this collection of information is estimated to be an average of 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering the data needed, and completing and reviewing the form. Please send any comments about this burden estimate, and suggestions for reducing the burden, to the Office of Special Counsel, Legal Counsel and Policy Division, 1730 M Street, N.W. (Suite 218), Washington, DC 20036-4505.



October 10, 2011
For Immediate Release
Contact: Kevin Klein
(847) 707-2285

San Diego County Public Defender Henry Coker Endorses Bonnie Dumanis for Mayor

SAN DIEGO - San Diego Public Defender Henry Coker announced today that he is endorsing Bonnie Dumanis to be the next mayor of San Diego. The Public Defender provides legal assistance to individuals charged with a crime in state court who are financially unable to retain private counsel.

“Bonnie Dumanis is solution oriented,” said Coker. “She has opened the door to criminal defense attorneys to roundtable public safety issues. Her office is assisting us in providing e-discovery to the Office of the Public Defender to advance San Diego’s criminal justice information technology system. She is the only mayoral candidate with proven executive leadership dedicated to consensus building and high-tech advances, ensuring the City of San Diego will be a better place for the next generation.”

Dumanis says she is particularly proud of this endorsement, given the adversarial role the two offices naturally play against each other in court. “I am honored to have Mr. Coker’s endorsement,” she said. “Our offices have done great work together, and I hope to take this philosophy of working together to get results to the Mayor’s Office.”

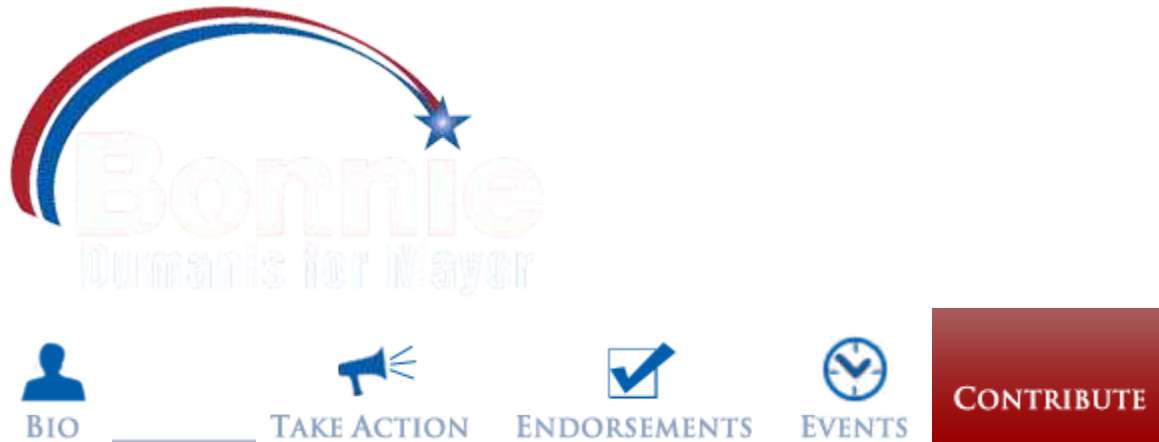
Bonnie Dumanis is one of San Diego's most innovative and respected government and law enforcement leaders. Her unique blend of experience – three-term District Attorney, Superior Court Judge and Clerk Typist – has given her the skills to successfully reorganize and run one of the largest criminal justice operations in California. Throughout her career Bonnie has been recognized as a team builder and organizational strategist. If elected Mayor she will focus on reforming San Diego’s pension and finances, creating good paying jobs, and ending the billion dollar backlog of infrastructure repairs needed in the City.

For more information about Bonnie’s campaign, visit www.bonnieforsandiego.com.

###

<http://bonnieforsandiego.com/news/2011/10/10/san-diego-county-public-defender-henry-coker-endorses-bonnie-dumanis-for-mayor/>

http://bonnieforsandiego.com/pdfs/public_defender_release.pdf



October 10th, 2011

[San Diego County Public Defender Henry Coker Endorses Bonnie Dumanis for Mayor](#)

San Diego Public Defender Henry Coker announced today that he is endorsing Bonnie Dumanis to be the next mayor of San Diego. The Public Defender provides legal assistance to individuals charged with a crime in state court who are financially unable to retain private counsel.

“Bonnie Dumanis is solution oriented,” said Coker. “She has opened the door to criminal defense attorneys to roundtable public safety issues. Her office is assisting us in providing e-discovery to the Office of the Public Defender to advance San Diego’s criminal justice information technology system. She is the only mayoral candidate with proven executive leadership dedicated to consensus building and high-tech advances, ensuring the City of San Diego will be a better place for the next generation.”

Dumanis says she is particularly proud of this endorsement, given the adversarial role the two offices naturally play against each other in court. “I am honored to have Mr. Coker’s endorsement,” she said. “Our offices have done great work together, and I hope to take this philosophy of working together to get results to the Mayor’s Office.”

Bonnie Dumanis is one of San Diego’s most innovative and respected government and law enforcement leaders. Her unique blend of experience – three-term District Attorney, Superior Court Judge and Clerk Typist – has given her the skills to successfully reorganize and run one of the largest criminal justice operations in California. Throughout her career Bonnie has been recognized as a team builder and organizational strategist. If elected Mayor she will focus on reforming San Diego’s pension and finances, creating good paying jobs, and ending the billion dollar backlog of infrastructure repairs needed in the City.

###

[\[Click here for pdf version.\]](#)



The San Diego County Public Defender's Office was established in 1988 by a county resolution and has since evolved into one of the finest in the nation. In 2009, the County of San Diego consolidated indigent defense services (Public Defender, Alternate Public Defender, Office of Assigned Counsel, Juvenile Delinquency & Multiple Conflict Office) into one office. There are office locations throughout the county.

We provide quality legal assistance to individuals charged with a crime in state court who are financially unable to retain private counsel.

Henry C. Coker Public Defender of San Diego County

Mental health and juvenile court matters are handled by special units within the office. Our office proudly reflects the diversity and high level of commitment necessary for our mission.

San Diego County Public Defender

Main Office

450 B Street, Suite 1100

San Diego, California 92101

Telephone: (619) 338-4700

Fax: (619) 338-4811

Our Mission

"To protect the rights, liberties, and dignity of all persons in San Diego County and maintain the integrity and fairness of the American Justice System by providing the finest legal representation in the cases entrusted to us."

DISCLAIMER

This site is meant to provide information of a general nature which you should verify with an attorney before relying upon it. It does not provide legal advice and is not meant to establish an attorney-client relationship. If you are seeking legal advice you should ALWAYS contact an attorney.



Photo courtesy of PDPhoto.org

<http://www.sandiegoreader.com/news/2011/oct/13/stringers-public-defender-coker-endorses-/>
Public Defender Coker Endorses D.A. Dumanis's Mayoral Run

By Gail Powell | Published Thursday, Oct. 13, 2011

TEXT SIZE: **A** | **A** | **A**

SUBSCRIBE TO THIS COLUMN

 SHARE   



Defendants who have utilized the public defenders' office to deal with legal problems in San Diego are up in arms over public defender Henry Coker endorsing D.A. Bonnie Dumanis in the upcoming mayoral race.

Dumanis recently published the news of Coker's support on her [campaign website](#):

"Bonnie Dumanis is solution oriented," Coker is quoted as saying on the website. "She has opened the door to criminal defense attorneys to round table public safety issues, assisted in providing e-discovery to the Office of the Public Defender, and she is the only mayoral candidate with proven executive leadership dedicated to consensus building and high-tech advances, ensuring the City of San Diego will be a better place for the next generation."

Critics contend that Coker and Dumanis are professional adversaries and the public defender should be politically neutral.

Coker and Dumanis are both local graduates of the Thomas Jefferson School of Law — Bonnie Dumanis in 1976 and Henry Coker in 1985.

Photo of Dumanis and Coker from tjssl.edu

<http://www.tjssl.edu/tjssl-alumni>

TJSL Alumni



Dean Rudy Hasl, Bonnie Dumanis '76, Henry Coker '85

Thomas Jefferson School of Law alumni have distinguished themselves in the legal, business, government and non-profit communities world-wide.

The first Filipina judge in the United States, Lillian Lim, is a graduate. The top criminal justice officials in San Diego County, District Attorney Bonnie Dumanis and Public Defender Henry Coker, are among our prominent graduates.

Our many distinguished alumni take time from their busy careers to serve as mentors and provide a network that opens doors for current students and other graduates. Alumni are a wonderful resource that reflects the diversity and complexity of our global society.

Wednesday, Nov 02, 2011

When the defense endorses the prosecution

Public Defender Henry Coker's support for Bonnie Dumanis could be problematic. By [Dave Maass](#)

32Share



Henry Coker

San Diego County Public Defender Henry Coker has endorsed the county's top prosecutor, District Attorney Bonnie Dumanis, in her bid for San Diego mayor.

If that relationship makes you uneasy, you're not alone. Throughout the country, public defenders are either prohibited from using their public office to endorse political candidates or they voluntarily refrain, as a matter of principle, from endorsing elected judicial officers, including judges and prosecutors. That's just not the case in San Diego County.

Coker did not respond to *CityBeat's* request for an interview, but the move is not out of character for the career public defender. In 2010, he joined Dumanis in campaigning for the reelection of four judges, including Deann Salcido, who later resigned after being formally censured for using her courtroom to audition for a reality-TV show. In endorsing Dumanis, he called the Republican "solution oriented," pointing specifically to progress she's made in information technology. If Dumanis loses the race, she will remain the district attorney and can run for reelection in 2014.

Federal-defender employees are barred from using their official titles in political activities under their code of conduct. The state of New Jersey has similar rules that prohibit officers and employees from engaging in political activity that "in any way relies upon" their official positions. Howard Finkelstein, the district attorney for Broward County, Fla., has a policy not to endorse in judicial or prosecutorial races, though he is not limited by any formal rules.

"It just seems smarmy and like good-ol'-boy politics," Finkelstein tells *City-Beat* regarding public defenders who endorse prosecutors. "Whether I like our state attorney or not, I don't think it is appropriate."

In some cases, Finkelstein says, a public defender could put his clients at risk of retaliation if he were to endorse the district attorney's opponent.

Endorsements involving judicial officers have kicked off controversy. In 1999, the *San Francisco Chronicle* reported, San Francisco's public defender withdrew his reelection endorsement of the district attorney after the candidate allegedly attempted to pump him for information about his opponent for a hit piece. Also in the late 1990s, public defenders in Ventura County filed a complaint about a group of judges who endorsed a district attorney for a judicial seat, according to the *Los Angeles Times*.

But Finkelstein says that another reason to avoid endorsements is the impression it would leave with indigent defendants.

"If I do endorse [the prosecutor], how do I explain to my thousands of clients in jail that the state attorney that wants to put them away for decades and decades is someone I'm endorsing?" Finkelstein says. "It's unseemly and it doesn't seem right that I would stand shoulder-by-shoulder with someone trying to destroy my clients' lives."

Email davem@sdcitybeat.com or follow him on Twitter [@DaveMaass](#).

Subject: RE: Your assistance requested please

Date: Thu, 27 Oct 2011 11:21:34 -0700

From: Ronald.Lane@sdcountry.ca.gov

To: foo.forever@hotmail.com

Dear Ms. Powell,

We are in receipt of your email regarding Mr. Coker's endorsement of Ms. Dumanis for mayor of the City of San Diego. It does not appear to us that the Hatch Act or any provision of state or local law restricts a county employee's political speech – including endorsements. Thank you for your interest.

From: gail powell [mailto:foo.forever@hotmail.com]

Sent: Monday, October 24, 2011 1:19 PM

To: Lane, Ronald

Subject: Your assistance requested please

October 24, 2011

Dear Mr. Lane:

I am told that you are the county employee in charge of the Public Safety Group and that your job gives you oversight of both the District Attorney and Public Defender. If that is indeed the case, I would like to complain to you regarding the recent endorsement by Chief Public Defender Henry Coker of District Attorney Bonnie Dumanis for Mayor of San Diego.

As someone who was represented by the Public Defender's office in 2009 and 2010 for a misdemeanor case, I take great offense that the man in charge of helping the poor defend themselves against the might of the state, throws himself in with that very behemoth. My case almost went to trial, but I was TALKED OUT of going to trial by my Public Defender, even though there were many facts in my case that point to a vindictive, fraudulent complaint made against me by the plaintiff. All I was constantly reminded of, is that the D.A. had "proof" I emailed a DJ against a court order.

The man who said I "stalked" him was actually mad that I was getting friendly with another person who worked at a competing radio station. When I would be the 9th caller to win prizes at his radio station, he would hang up on me and my son. I called the Program Director of his station and left a message about my being hung up on by the plaintiff when I was the winning caller, and the next thing I know I was served a restraining order at my job and promptly fired.

This plaintiff then went over to the competing radio station and warned my new friend that I "belonged" to the plaintiff and started a fight over there with this other guy. My new friend was suspended from his radio station for fighting with the plaintiff that day. That is when my new friend also served a restraining order on me-when the plaintiff went to this other station and started a fight. This whole case against me was a bunch of BOGUS LIES from the start. I was not stalking or harassing anyone, the plaintiff was angry that I complained about him at his job and seeing another man. His way of getting back at me was LYING about my conduct and getting me in trouble with the law. This plaintiff has a habit of using the legal process for vindictive reasons.

I tried to explain this to my Public Defender who did not seem to care. I was talked into pleading to one count and given 3 years probation, which I was assured could be terminated early or reduced. I am desperate to clear my good name as I cannot get a job that requires any kind of background check and cannot volunteer for my

church activities with a bad record. This past September, I applied for a termination and was turned down by the court. Now I see that perhaps the pressure I felt and the fact that I was railroaded by the Public Defender into doing something I did not believe in could be the result of collusion between the Public Defender and District Attorney. The plaintiff has a record as a pedophile that I believe has been expunged but he does have history as someone who was prosecuted for sex with a minor and some messy divorces. I feel the District Attorney did not want to be associated with defending someone with such an ignoble background. So I was pressured by the Public Defender into making me do something I did not agree with and totally regret in hindsight. I was even prepared to take the chance at trial and go to jail, if convicted, with my daughter promising me she would take care of my son, if that happened.

Therefore, when I read the news that Chief Public Defender-supposedly the antagonist of the District Attorney-was endorsing the D.A., my blood began to boil. Every injustice and affront I have suffered suddenly became clear with this news. It is an insult to the clients of the Public Defender-especially the innocent victims of lies-such as myself who feel this is another slap in the face. Shameless D.A. Dumanis knows better-she was a judge once and surely knows this is not right. You are the last stop on the road here-to make sure these county employees are behaving properly.

As far as legalities go, here are some comments about this situation in The Reader San Diego: "The public defender has no business making political endorsements at all. If he does so, they should be sharply limited to things directly impinging upon his task. And when he makes such endorsements, he should expect to take heat from his employer, the county. It will be of no comfort to the innocent folks that have been defended by his office that he likes her." and

"Only elected public officials are allowed to Endorse or campaign for their favorite candidates. Non-elected public official like the Public Defenders office, Navy personnel, individual Police Officers cannot make endorsements for political campaigns." and

My complaint here relates to "Possible Prohibited Political Activity (Violation of the Hatch Act). "State and Local Employees are prohibited from*:

1. Using their official authority to influence for the purpose of interfering with or affecting the result of an election or a nomination for office." My Facebook friend told me the following:

"Yes, the Hatch Act is a Federal law for Federal employees. However local and State employees are subject to follow the same Federal law if they receive money from the Federal government. Since San Diego gets Federal funds into the County of San Diego for law enforcement and Homeland Security, the County of San Diego has implied it is following the Federal Hatch Act with its own employees.

In theory, the County of San Diego has a choice of either giving back their Federal funding, or somehow discipline the employees to make it clear that non-elected government officials cannot use the power of their appointed office to campaign in an election. Fines may also be imposed on the law breakers."

In conclusion, it is NOT RIGHT that the District Attorney solicited an endorsement from a non-elected public official and one that has a job that is adversarial in nature to her. It is NOT RIGHT that Public Defenders hound innocent clients to do something that is not what they want, and leave a lingering suspicion that the Public Defender has ulterior motives that are not in alignment with the client but perhaps at the behest of the "other side." It is NOT RIGHT that Chief Public Defender Henry Coker endorsed Bonnie Dumanis. I would like to request an investigation into the matter of the Coker endorsement of Dumanis. I would also request an investigation into D.A. Dumanis knowingly enticing a fellow county employee into shenanigans like this. There is such disdain in the community for monkey business taking place and grubby politicians doing anything they can to get endorsements. I hope you will firmly put your foot down and hold the line here.

Thank you for your assistance with this matter.

GAIL POWELL.